THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN) : (a) No, Sir. The BICP conducted cost-cum-technical study on the cost data of M/s. Boots, M/s. Unique and M/s. Camlin.

(b) and (c) To the extent information is available, the production of M/s. Boots for the year 1989-90 was 0.83 MT and in respect of M/s. Metroni Drugs, the production during 1989-90 was 2.90 MT.

(d) No such information/complaint has been received by the Government.

(e) The price of this bulk drug was increased due to impact of change of exchange rate of rupee against major foreign currencies taking into consideration cost data available with the Government and in consultation with the BICP.

(f) and (g) The details will be collected from the company and laid on the Table of the House.

Highest and lowest imported price of bulk drugs

1142. SHRI ASHOK NATH VERMA : Will the PRIME MINISTER be pleased to refer to the answer to Unstarred Question 420 given in the Rajya Sabha on 27th February, 1992 and state :

(a) what was the difference between the highest and lowest import price which came to the notice of his Ministry in respect of each of the bulk drugs referred to ;

(b) whether it is a fact that his predecessor ignored the highest import price and worked out the average of the remaining importers to eliminate over-invoicing ;

(c) whether it is a fact that Government have dispened with the practice and has started obliging the individual importers under the able advice of his Development Commissioner ;

(d) what is the position regarding pricing of Carbamezepine formulation pricing ;

(e) what are the names of drugs, where higher prices of bulk drug have been taken in fixation of formulation prices both indigenous production price or imported price during 1991-92 ; and

(f) what was the price taken in each case and what was the average imported price and the indigenous price ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN) : (a) This Ministry received complaints/ Member of Parliament's letters alleging overinvoicing of imports of drugs/drug intermediates. These cases of overinvoicing were referred to Directorate of Revenue Intelligence/Enforcement Directorate. As already answered, there was no evidence to conclude any contravention of FERA, 1973.

(b) and (c) For price fixation of formulations based on imported scheduled bulk drugs, DPRC Sub Committee under Chairmanship of Member (Finance), BICP, which is responsible for recommending to prices of formulations to this department, adopts the price of bulk drugs claimed by the concerned formulators or the weighted average landed cost worked out by DGHS on the basis of total imports, whichever is lower. Price fixation is being done as per provisions of the DPCO, 1987.

(d) Carbamazapine is an imported bulk drug. DGHS weighted average import price is taken into account while fixing the prices of formulations. However, in case of peadriatic syrup the actual landed cost was taken into account in view of quality consideration.

(e) and (f) During the year 1991-92 the prices of around 3000 formulations have been fixed/revised. The time and labour involved in collecting the requisite details will not be commensurate with the results likely to be achieved.

Not Filling Counter Affidavit in Flucort's case

1143. SHRIMATI SATYA BAHIN : Will the PRIME MINISTER be pleased to refer to the answer to Unstarred Question

2091 given in the Rajya Sabha on the 12th December, 1991 and State :

(a) whether it is a fact that even after 1½ years of filing of the writ petition, counter affidavit in the case of Flucort has not been filed by Government ;

(b) in case parawise comments were sent in September, 1990 and yet the affidavit has not been filed, name of persons responsible for the delay and what steps have been taken to fix responsibility in the case where the file of this company vanished from his Ministry ;

(c) what is the nature of details of the interim order and whether it is advantageous to the Company ;

(d) who is manufacturing Flucort range of formulations now and at what prices these formulations are being sold and what are Government's fixed price ;

(e) whether it is a fact that there is definitely a secret understanding between the bureaucrats of his ministry and this company ; and

(f) what steps are being taken to investigate the matter and to do justice to the common man ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN) : (a) and (b) The counter affidavit in case of M/s. Lyka Labs. Ltd. Bombay in respect of recovery of amount due on Fluocinolone Acetonide was filed in Bombay High Court in February, 1992.

(c) The interim order was inter-alia to the effect that pending the hearing and final disposal of the Petition the respondent themselves, their servants, agents, officers and/or subordinates be restrained by an order and injunction of Hon'ble Court from taking any action whatsoever against the Petitioner pursuant to/or in implementation of the impugned order. The Petitoner was required to give an undertaking that he shall not dispose of or tranfer any of the immovable property, as on the date of the order, except with the prior permission of the Hon'ble Court.

(d) The details will be collected and laid on the Table of the House.

(e) No, Sir.

(f) Does not arise.

Specifications of imported bulk drugs

1144. SHRI BEKAL UTSAHI : Will the PRIME MINISTER be pleased to refer to the answer to Unstarred Question 3749 given in the Rajya Sabha on 26-3-92 and state :

(a) whether it is a fact that quality specifications of the imported bulk drugs is a subject assigned to the Ministry of Health and the DPRC Sub-committee or any other Ministry was not competent to take a decision on this subject ;

(b) whether specific recommendations of the Ministry of Health were obtained before allowing the highest import price instead of the weighted average import price ;

(c) what are the names of the imported bulk drugs where such decisions have been taken during the last one year ; and what was the highest import price which prevailed in these cases ; and

(d) what are the factors accounting for difference in quality/specifications which compelled such a decision ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN) : (a) to (d) The DPRC Sub Committee which recommends the prices of formulations based on scheduled bulk drugs both imported as well as indigenous, has a representative of the Ministry of Health as its member. In the cases where import price related to a particular specifications is claimed, higher than that worked out as average price on the basis of total imports. DPRC Sub Committee makes the recommendations keeping in view, where necessary, the quality requirements. During the last one year prices of around 3,000 formulations have been fixed/revised. The time and labour involved in collecting the requisite details will not be commensurate with the results likely to be achieved.